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Date: April 15, 2004

Docket No.: 1190-0566PUS3

MS PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a divisional application under 37 C.F.R. § 1.53(b) of pending prior Application No. 10/336,751 filed on January 6, 2003, the entire contents of which are hereby incorporated by reference, by Keiji NAKAMURA; Mitoru YABE for OBJECTIVE LENS DRIVING APPARATUS.

1. Enclosed is an application consisting of specification, claims, declaration and drawings/photographs (if applicable).
2. The filing fee has been calculated as follows:

		LARGE ENTITY		SMALL ENTITY	
BASIC FEE		\$770.00		\$385.00	
NUMBER FILED		RATE FEE		RATE FEE	
TOTAL CLAIMS		x 18 = \$0.00		x 9 = \$0.00	
INDEPENDENT CLAIMS		x 86 = \$0.00		x 43 = \$0.00	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$290.00		+ \$145.00
		TOTAL		\$770.00	





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3. A check in the amount of \$770.00 to cover the filing fee and recording fee (if applicable) is enclosed.

4. Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.

5. Enclosed is/are twelve (12) sheet(s) of formal drawings and/or photographs.

6a. A statement claiming small entity status was filed in prior Application No. _____ on _____. See the attached copy of the statement claiming small entity status.

6b. The current application qualifies for small entity status.

7. The prior application is assigned to Mitsubishi Denki Kabushiki Kaisha.

8. A Preliminary Amendment is enclosed.

9a. Priority of Application No(s). 2002-075786 filed in Japan on March 19, 2002 is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on January 6, 2003.

9b. Priority of International Appln. _____ filed on _____ under the Patent Cooperation Treaty and _____ Application No. _____ filed in _____ on _____ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.

10. An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.

11. Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
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Falls Church, VA 22040-0747
(703) 205-8000
or
Customer No. 02292

12. An extension of time for _____ () month(s) until _____ has been submitted in parent Application No. _____ in order to establish co-pendency with the present application.

13. Also enclosed herewith is the following:

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP



By _____
D. Richard Anderson, #40,439

DRA/jeb
1190-0566PUS3

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Attachment(s)

(Rev. 02/13/2004)